

LAND BOARD AGENDA ITEM
August 20, 2007

**REQUEST FOR PRELIMINARY APPROVAL OF THE
Montana Heritage Commission/Tucker Land Exchange**

- PROPOSAL:** Preliminary approval to proceed with further evaluation of a proposed land exchange between the State of Montana Heritage Commission (MHC) and Loren and Mary Ann Tucker (Tuckers).
- PROPONENT:** Montana Heritage Commission
- ACRES/VALUE:** The Montana Heritage Commission will exchange 0.4 acres (1915 sq. ft.) of state land with an appraised value of \$2365.00.
- Tuckers will exchange 0.4 acres (1915 sq. ft.) of land with an appraised value of \$2365.00.
- BENEFICIARY:** Non-trustland
- LOCATION:** Madison County

BACKGROUND:

In the 1860's, a saloon or dance hall was on the site of the house presently owned by Mary Ann Tucker. Subsequent landowners of the saloon and adjacent properties included the Sisters of Charity, Leavenworth, the Virginia City School District, Charles Bovey, and more recently, the Montana Heritage Commission,

As in many other "gold rush " era communities, little attention was paid to platted lot lines when structures were built / or owned by a single entity. Such is the case with these parcels. A portion of one of the MHC buildings occupies land owned by Tuckers while a portion of the Tucker's rental house, fences and lawn occupy State land. The purpose of this relocation of common boundaries is to correct construction errors dating back to the Town of Virginia City's origins. The relocation of boundaries will result in the exchange of equal valued parcels (\$2365 each) of the same square footage, 1915 sq. ft. each.

PUBLIC INVOLVEMENT PROCESS AND RESULTS

This land exchange has been an agenda item of the Montana Heritage Commission's quarterly meetings over the past year. These meetings have been held both in Virginia City and Helena during this period. No comments have been received from the public.

If the exchange receives preliminary approval, the Department will complete an Environmental Analysis followed by a public hearing in Virginia City.

EXCHANGE CRITERIA ANALYSIS

1. EQUAL OR GREATER VALUE

Appraisal has determined that the parcels are of equal value:

State land valued @ \$2365.

Tucker land valued @ \$2365.

Meets criteria.

2. STATE LAND BORDERING ON NAVIGABLE LAKES AND STREAMS

No Navigable waterways are included in the exchange.

Meets criteria.

3. EQUAL OR GREATER INCOME TO THE TRUST

Meets criteria.

This land exchange does not involve trust land.

4. EQUAL OR GREATER ACREAGE

The acreage is equal.

Meets criteria.

5. CONSOLIDATION OF STATE LAND

The land exchange will consolidate state land.

Meets criteria.

6. POTENTIAL FOR LONG-TERM APPRECIATION

Not applicable.

7. ACCESS

The land exchange will not affect access to state land.

Meets criteria.

AGENCY RECOMMENDATIONS

The Commissioners believes this proposed land exchange would benefit the Montana Heritage Commission and the State of Montana. The Commissioners requests that this exchange receive preliminary approval from the Board.

Montana Heritage Comm./ Tucker
Land Exchange
Town of Virginia City

Existing Tucker Lots



Existing Montana Heritage Comm. Lots



Proposed Tucker Lots



Proposed Montana Heritage Comm. Lots



CERTIFICATE OF COUNTY TREASURER

I hereby certify, pursuant to Title 76, Chapter 3, Part 2, Section 76-3-207(3), M.C.A., that all real property taxes and special assessments levied on the land herein divided have been paid.

certify that it has examined this Amended Plat